



THE COMMONWEALTH OF MASSACHUSETTS
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September 11, 2007

By Electronic Mail Only

Barry P. Fogel, Esq.
Keegan Werlin LLP
265 Franklin Street
Boston, MA 02110-3113

Re: *Consistency Appeal by Weaver's Cove Energy, LLC*
Consistency Appeal by Mill River Pipeline, LLC

Dear Mr. Fogel:

Thanks for the information regarding the indexing of the items in the record for the above-referenced appeals pending before the Secretary of Commerce. My understanding from what you said in an email message is that the CDs of the record will contain the documents, scanned in by year, in the order listed on the index provided by CZM. I further understand that, as for the documents provided by FERC, they will be on the CDs in accession number order, but not as individual files. You also indicated that the items would not have "meaningful names."

While not the most optimal situation, to avoid killing more trees than necessary, and based on the above-stated understanding of the format of the CDs, the Commonwealth is willing to waive receipt of a hard copy of the consolidated record, subject to an agreement by appellants Weaver's Cove Energy, LLC, and Mill River Pipeline, LLC, to provide a hard copy of a subset of the record within ten working days of any request that may be made by the Commonwealth in the future, during the pendency of this litigation, for any specified subset.

If you agree to this arrangement, and with our understanding of the format of the CDs, than we waive receipt of the hard copy of the record. Please confirm that this is the case. Thanks for your attention to this matter.

Sincerely,
/s/
Carol Iancu
Assistant Attorney General
Environmental Protection Division

cc: Bruce F. Kiely, Esq. (*By electronic mail only*)
Margaret Callanan, Esq. (*By electronic mail only*)